DOCKET FILE COPY ORIGINAL

RECEIVED

Federal Communications Commission Washington, D.C. 20554

JUN 2 4 1993

FEDERAL COMMUNICATIONS COMMISSION

		•
т		
•		
<u> </u>		
Chall +		
•		
·		
\ *~-*		
)		
1		
1 114		
-		
_		
<u> </u>		_
N	1	
•		
1		
, _		
* * · · · · · · · · · · · · · · · · · ·		
<u> </u>		
·		
		
	•	
_		

In ORA's Reply, it raises new matters for which Ringer has not had an opportunity to respond. For example, at page 3, ORA cites to Global Information Technologies. Inc., FCC 93R-26, a decision released eight days after Ringer filed his Opposition. Since this case was only recently released and was not cited in ORA's original Motion To Enlarge, Ringer has had no opportunity to dispute its alleged precedential value or ORA's conclusions derived thereof.

- 2. Furthermore, on page 2 of its Reply, ORA makes statements concerning a letter that was produced by one of the other competing applicants, Shellee Davis, on June 21, 1993, twelve days after Ringer submitted his Opposition.

 Once again, since Ringer only recently received a copy of this letter and since ORA did not cite to this evidence in its original Motion To Enlarge, Ringer has not had a proper chance to answer ORA's allegations.
- 3. Therefore, given ORA's actions, Ringer should be afforded an additional response, for the very limited purpose of answering the new matters raised by ORA in its Reply.

WHEREFORE, the above-premises considered, David A.
Ringer respectfully requests that this Motion For Leave To
File Response be GRANTED.

Respectfully submitted,

DAVID A. RINGER

By:

Arthur V. Belendiuk

Shaun A. Maher His Attorneys

SMITHWICK & BELENDIUK, P.C. 1990 M Street, N.W. Suite 510 Washington, DC 20036 (202) 785-2800

June 24, 1993

CERTIFICATE OF SERVICE

I, Patricia Neil, a secretary in the law firm of Smithwick & Belendiuk, P.C., certify that on this 24th day of June, 1993, copies of the foregoing were mailed via first class mail, postage pre-paid, to the following:

The Honorable Walter C. Miller (*) Administrative Law Judge Federal Communications Commission 2000 L Street, N.W. Room 213 Washington, DC 20554

James Shook, Esq. (*)
Hearing Branch
Federal Communications Commission
2025 M Street, N.W.
Room 7212
Washington, DC 20554

James A. Koerner, Esq.
Baraff, Koerner, Olender & Hochberg, P.C.
5335 Wisconsin Avenue, N.W.
Suite 300
Washington, DC 20015-2003
Counsel for ASF Broadcasting Corp.

Dan J. Alpert, Esq. Law Office of Dan J. Alpert 1250 Connecticut Avenue, N.W. Washington, DC 20036 Counsel for Shellee Davis

Dennis F. Begley, Esq.
Reddy, Begley & Martin
1001 22nd Street, N.W.
Suite 350
Washington, DC 20037
Counsel for Westerville Broadcasting Company, L.P.

Stephen T. Yelverton, Esq.
McNair & Sanford, P.A.
Madison Office Building
Suite 400
1155 Fifteenth Street, N.W.
Washington, DC 20005
Counsel for Ohio Radio Associates, Inc.

Eric S. Kravetz, Esq.
Brown, Nietert & Kaufman, Chartered
1920 N Street, N.W.
Suite 660
Washington, DC 20036
Counsel for Wilburn Industries, Inc.

(*): By Hand Delivery

Patricia Neil